



10/090004

CofC

Docket No.: 025965.101-US03
(PATENT)

SPE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert J. Yamartino

Patent No.: 6,947,544

Issued: September 20, 2005

For: TELEPHONE NUMBER AREA CODE
PREPROCESSOR

Certificate
JUL 14 2006
of Correction

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced

Patent:

1. Request for Expedited Certificate of Correction Pursuant to 37 CFR 1.322;
2. Certificate of Correction (Form PTO/SB/44);
3. Copy of the Office Action (Paper No. 13) mailed April 21, 2004, including Form PTO-892;
4. Copy of the Office Action (Paper No. 11) mailed March 30, 2004;
5. Copy of the Request for Reconsideration and supporting documents filed via facsimile on January 26, 2006; and
6. Return receipt postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

patent by this firm) to our Deposit Account No. 50-0740, under Docket No. 025965.101-US03.

A duplicate copy of this paper is enclosed.

Dated: July 12, 2006

Respectfully submitted,

By


Paul J. Berman

Registration No.: 36,744

Melody H. Wu

Registration No.: 52,376

COVINGTON & BURLING LLP

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorneys for Patentee



Docket No.: 025965.101-US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Robert J. Yamartino

Patent No.: 6,947,544

Issued: September 20, 2005

For: TELEPHONE NUMBER AREA CODE
PREPROCESSOR

**REQUEST FOR EXPEDITED CERTIFICATE
OF CORRECTION PURSUANT TO 37 CFR 1.322**

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Certificate of Correction was issued for the above-identified patent on March 14, 2006. Upon reviewing the patent in conjunction with the Certificate of Correction, Patentee notes that further errors should be corrected.

The following U.S. patent documents were erroneously omitted from the face of the subject patent, under Section (56), References Cited:

<u>Patent</u>	<u>Issue Date</u>	<u>Inventors</u>
4,734,931 A	3/1988	Bourg et al.
5,204,894 A	4/1993	Darden
5,655,015 A	8/1997	Walsh et al.
5,764,731 A	6/1998	Yablon

Submitted herewith is a proposed Certificate of Correction listing the four omitted references. Since these references were cited by the Patent Office in the Office Action dated April 21, 2004, they should be included in the References Cited section of the subject patent. A

copy of the Office Action of April 21, 2004, including an accompanying Form PTO-892, is submitted herewith. Patentee also submits the following information in support of this Request.

Office Action of March 30, 2004

Two of the omitted U.S. Patents (specifically, the Walsh et al. and Yablon patents) were discussed in the text of the Office Action of March 30, 2004 (copy attached) by Examiner Creighton H. Smith. However, the Examiner did not include a copy of a Form PTO-892 with the Office Action. On April 13, 2004, a telephone call was made to Examiner Smith regarding the missing documentation.

Office Action of April 21, 2004

The Examiner re-issued the March 30, 2004 Office Action on April 21, 2004. An interview summary was included with the April 21, 2004 Office Action, indicating that the response period was reset to start on the mailing date of this new Action. Furthermore, the new Action included a Form PTO-892 citing five U.S. patents. Four of those cited patents are the references that have erroneously been omitted from the face of the subject patent, and are now sought to be included in the References Cited section of the subject patent by Certificate of Correction. A copy of the April 21, 2004 Office Action, including Form PTO-892 and interview summary, is attached.

Request for Certificate of Correction filed January 10, 2006

Patentee's attorneys filed a Request for Certificate of Correction Pursuant to 37 CFR 1.322 to correct errors and omissions which occurred as a result of mistakes by the Patent Office. The following supporting documentation was provided:

- A two-page Certificate of Correction (Form PTO/SB/44);
- Copy of the Information Disclosure Statement with Form PTO/SB/08A, transmittal letter, and postcard receipt, filed on August 28, 2002;
- Copy of the Office Action (Paper No. 6) mailed November 13, 2003;
- Copy of the Amendment in Response to Non-Final Office Action, transmittal letter, and postcard receipt, filed January 16, 2004; and
- Copy of the Office Action (Paper No. 13) mailed April 21, 2004.

Consideration for Certificate of Correction dated January 24, 2006

A Consideration for Certificate of Correction was issued by the Patent Office, indicating that the Request for Certificate of Correction filed January 10, 2006 had been denied because there was no record of a Form PTO-1449 or Form PTO-892 with reference(s) considered by the examiner, and that further consideration would be given upon receipt of a copy of such a form with the requested reference(s) considered by the examiner. Further, the Consideration notice stated that a certificate of correction would be issued to correct the remaining errors noted in the January 10, 2006 Request.

Request for Reconsideration filed January 26, 2006

Anne Wilson of Patentee's representative firm telephoned Mr. Ernest C. White, who had issued the Consideration notice. Mr. White advised that no PTO-1449 or PTO-892 form had been received with the Request filed on January 10, 2006, but that upon receipt and review of the appropriate document, reconsideration would be provided. As a result of the telephone conference, a Request for Reconsideration was prepared and submitted by facsimile on January 26, 2006 to Mr. White. Also, another copy of the Office Action mailed April 21, 2004, including the Form PTO-892, was submitted via facsimile to Mr. White. A copy of the entire January 26, 2006 submission is included herewith.

After faxing the Request for Reconsideration on January 26, 2006, Ms. Wilson called Mr. White to verify receipt of the Request for Reconsideration and the supporting documents. Mr. White acknowledged receipt and affirmed that the Office Action of April 21, 2004 appeared to support the Request for Certificate of Correction and complied with the Consideration for Certificate of Correction. Mr. White advised that the submitted papers would be considered on January 30, 2006. There was no further communication from Mr. White or the Certificate of Correction Branch regarding the Request for Certificate of Correction filed January 10, 2006 or the Request for Reconsideration faxed on January 26, 2006.

As stated in Section 1485 of the MPEP, "Where only a part of a request can be approved, or where the Office discovers and includes additional corrections, the appropriate alterations are

made on form PTO/SB/44 by the Office. The patentee is notified of the changes on the Notification of Approval-in-part form PTOL-404. The certificate is issued approximately 6 weeks thereafter.” However, no such notification form was received by the Patentee’s representatives. A review of the file history for the subject patent in the Patent Office’s online PAIR database reveals that there is no record of the Request for Reconsideration faxed to Mr. White on January 26, 2006, nor is there any record that a Notification of Approval-in-part form was ever issued.

Certificate of Correction dated March 14, 2006

A Certificate of Correction was issued by the Patent Office on March 14, 2006. The Certificate included one citation under Section (56), References Cited. However, it omitted four of the U.S. patents that were cited in the Office Action mailed April 21, 2004, including two that were relied upon by Examiner Smith during prosecution.

Request for Expedited Certificate of Correction

Accordingly, Patentee requests issuance of a new Certificate of Correction that includes the four omitted U.S. patents noted on the first page of this paper and listed on the proposed Certificate of Correction submitted herewith. In accordance with Section 1480.01 of the MPEP, Patentee requests that the processing and granting of this Request be expedited, since it is accompanied by evidence to show that the errors in question are attributable solely to the Patent Office (i.e., requests filed pursuant to 37 CFR 1.322). The omitted references were cited by the Patent Office and were clearly included on a Notice of References Cited form (PTO-892), a copy of which is again being provided by the Patentee. Prompt and favorable consideration of this Request is therefore respectfully requested.

Fee for Certificate of Correction


Patentee submits that this Request and the attached documentation make clear that all of the errors in question occurred as a result of Patent Office error. Therefore, no fee is believed to be due. However, if the Patent Office considers the errors to have occurred as a result of

mistakes by the Patentee, correction of such errors by certificate of correction is still proper under 37 CFR § 1.323 and is requested in that event, and authorization is given to charge the required fee to Deposit Account No. 50-0740.

Dated: July 12, 2006

Respectfully submitted,

By


Paul J. Berman

Registration No.: 36,744

Melody H. Wu

Registration No.: 52,376

COVINGTON & BURLING LLP

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorneys for Patentee

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 6,947,544
APPLICATION NO. : 10/090,004
ISSUE DATE : September 20, 2005
INVENTOR(S) : Robert J. Yamartino

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the face of the Letters Patent, under Section (56) References Cited, the following U.S. Patent Documents should be added:

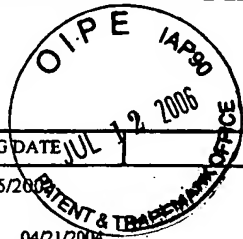
4,734,931 A	3/1988	Bourg et al.
5,204,894 A	4/1993	Darden
5,655,015 A	8/1997	Walsh et al.
5,764,731 A	6/1998	Yablon

MAILING ADDRESS OF SENDER (Please do not use customer number below):
COVINGTON & BURLING LLP
Patent Docketing
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/090,004

03/05/2006

Robert J. Yamartino

025965.101-US03

5161

26853

7590

04/21/2004

COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

EXAMINER

SMITH, CREIGHTON H

ART UNIT

PAPER NUMBER

2645

13

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
APR 26 2004
Patent Docketing



Office Action Summary

Application No. 0910004	Applicant(s) YAMARENO
Examiner Smith, C.H	Group Art Unit 2645

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 13 APRIL '04
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 11-20, 23-36, 47-56, 59-72 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 12-20, 23-36, 52-56 is/are allowed.
- ☐ Claim(s) 11, 47-51, 59-72 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

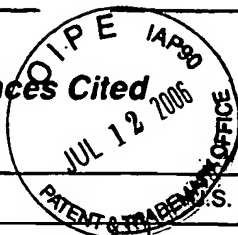
*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Notice of References Cited



Application No.

090004

Applicant(s)

YAMARTINO, R. S.

Examiner

SMITH, C.H.

Group Art Unit

2645

Page ___ of ___

U.S. PATENT DOCUMENTS

* A	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5764731	6/1998	FARION	379	88
B	6658455	12/2003	Weinman, J.B. SR	709	203
C	4734931	3/1988	Bourg et al	379	93
D	5204894	4/1993	DARDEN	379	88
E	5055015	8/1997	WALSH et al	379	201
F					
G					
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

* N	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

* U	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
--------------------	-------------	-----------------------	---------------------

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

12

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) C. L. Smith (3) _____
(2) Don Caplan (4) _____

Date of Interview 13 APRIL '04

Type: ☐ Telephonic ☒ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: _____

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: NONE

Identification of prior art discussed: Xablon & WALSH

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative phoned examiner to state that they never received a copy of PTO-892 nor the reference. They also requested that 3 month time for response be restarted. The 3 month time for response will be re-started from time of mailing of 892.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

C. L. Smith

C. L. Smith
Primary Examiner



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,004	03/05/2002	Robert J. Yamartino	025965.101-US03	5161

26853 7590 03/30/2004

COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

EXAMINER

SMITH, CREIGHTON H

ART UNIT PAPER NUMBER

2645

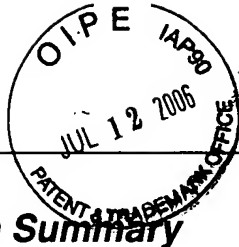
DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

APR 01 2004

Patent Docketing



Office Action Summary

Application No.

090004

Applicant(s)

YAMARTINO, R. J.

Examiner

Smith, C.H.

Group Art Unit

2645

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Period for Response

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Status

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☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

☐ Claim(s) _____ is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 12-20, 23-36, 58-56 is/are allowed.

☒ Claim(s) 11, 47-51, 59-72 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2645

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 47-50, 59-61, 65-68, 72 are rejected under 35 U.S.C. 102(e) as being anticipated by Yablon.

Yablon discloses in col. 6, line 5, that a user will dial a directory assistance (DA) and ask for a telephone number to be conveyed to him electronically, and in col. 8, lines 15-20, Yablon discloses “downloading one or more telephone numbers from a remote location into the primary user’s telephone.” The plurality of downloaded phone numbers are shown in Fig. 1 (left side of drawings), fig. 5, Fig. 6. The step of monitoring for call initiation signals from the calling party is met by Yablon when he goes “off-hook” or switches on his cell phone alerting the MSC that he, the user, is now ready to transmit and receive phone calls. Applicant’s step of receiving called party information is met by Yablon when he calls DA for his messages; the producing a list of phone numbers step is met by Yablon when the directory assistance downloads the user’s messages into the user’s phone’s memory, and then the user will select a specific phone number from the plurality of phone numbers downloaded from the DA to call back. Applicant’s step of associating identification information with the calling party is met in col. 16, lines 50-55, where it is disclosed that a user has an associated password code. Also, in col. 24, lines 50-55, Yablon discloses that the Caller ID is used to disclose the calling party to



the called party. Similarly, Caller ID could be used by the DA as the identification information with the calling party.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11, 51, 62-64, 69-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yablon in view of Walsh et al

Walsh discloses the use of dialing rules, col. 9, lines 50-55, col. 4, lines 5-18, when utilized with lists of telephone numbers, claim 19. To have similarly used Walsh's teaching of using dialing rules in Yablon apparatus would have been obvious to a person having ordinary skill in the art.

Claims 12-20, 23-36, 52-56 are allowed.

Any inquiry concerning this communication should be directed to Creighton h Smith at telephone number 308-2488.

Creighton h Smith
Primary Examiner
Art Unit 2645



MESSAGE CONFIRMATION

01/26/2006 15:47

ID=COVINGTON & BURLING 10WEST

DATE	S,R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT
01/26	00'00"	95712739749	CALLING	00	STOP 1080

01/26/2006 15:38 COVINGTON & BURLING 10WEST → 95712739749

NO.640 001

FAX TRANSMISSION

DATE: January 26, 2006

PTO IDENTIFIER: Application Number 10/090,004-Conf. #5161
Patent Number 6,947,544

Inventor: Robert J. Yamartino

MESSAGE TO: US Patent and Trademark Office - Decisions & Certificate of Correction
Branch, Attn: Mr. Ernest White, LIE

FAX NUMBER: (571) 273-9749

FROM: COVINGTON & BURLING

Melody H. Wu

PHONE: (202) 662-6000

Attorney Dkt. #: 025965.101-US03

PAGES (Including Cover Sheet): 10

CONTENTS: Copy of Consideration for Certificate of Correction (1)

Copy of Office Action (Paper No. 13) mailed April 21, 2004 (5 pages)
Request for Reconsideration (2 pages)



MESSAGE CONFIRMATION

01/26/2006 15:46

ID=COVINGTON & BURLING 10WEST

DATE	S,R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT
01/26	03'10"	USPTO	CALLING	10	OK 0000

01/26/2006 15:42 COVINGTON & BURLING 10WEST → 95712739749

NO.641 001

FAX TRANSMISSION

DATE: January 26, 2006

PTO IDENTIFIER: Application Number 10/090,004-Conf. #5161
Patent Number 6,947,544

Inventor: Robert J. Yamartino

MESSAGE TO: US Patent and Trademark Office - Decisions & Certificate of Correction
Branch, Attn: Mr. Ernest White, LIE

FAX NUMBER: (571) 273-9749

FROM: COVINGTON & BURLING
Melody H. Wu

PHONE: (202) 662-6000

Attorney Dkt. #: 025965.101-US03

PAGES (including Cover Sheet): 10

CONTENTS: Copy of Consideration for Certificate of Correction (1)
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Request for Reconsideration (2 pages)



FAX TRANSMISSION

DATE: January 26, 2006

PTO IDENTIFIER: Application Number 10/090,004-Conf. #5161
Patent Number 6,947,544

Inventor: Robert J. Yamartino

MESSAGE TO: US Patent and Trademark Office - Decisions & Certificate of Correction
Branch, Attn: Mr. Ernest White, LIE

FAX NUMBER: (571) 273-9749

FROM: COVINGTON & BURLING

Melody H. Wu

PHONE: (202) 662-6000

Attorney Dkt. #: 025965.101-US03

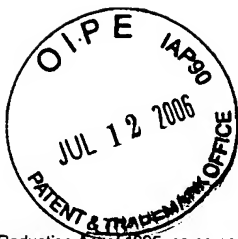
PAGES (Including Cover Sheet): 10

CONTENTS: Copy of Consideration for Certificate of Correction (1)
Copy of Office Action (Paper No. 13) mailed April 21, 2004 (5 pages)
Request for Reconsideration (2 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 662-6000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W., Washington, DC 20004-2401
Telephone: (202) 662-6000 Facsimile: (202) 662-6291



PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/090,004

Attorney Docket No.: 025965.101-US03

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on January 26, 2006
Date

Signature

Melody H. Wu

Typed or printed name of person signing Certificate

52,376
Registration Number, if applicable

(202) 662-6000
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Copy of Office Action (Paper No. 13) mailed April 21, 2004
Request for Reconsideration (2 pages)



UNITED STATES DEPARTMENT OF COMMERCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Date : 1/24/2006
Patent No. : 6,947,544 B2
Inventor(s) : Yamartino
Issue Date : September 20, 2005
Title : **TELEPHONE NUMBER AREA CODE PREPROCESSOR**
Doc./File No. : 025965.1 01-US03

Re: Consideration for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule 1.322.

Respecting the alleged error(s) in the References Cited, the patent is printed in accordance with the record, since there is no record of a 1449 or 892 with reference(s) considered by the Examiner.

In view of the foregoing, your request in this matter is denied. However, further consideration will be given your request in this matter upon receipt of a copy of the 1449 or 892 with the requested reference(s) considered by the Examiner.

A certificate of correction will be issued to correct the remaining errors noted in your request.

Further consideration will be given concerning the matter of denials upon receipt of a request for **Reconsideration** (reconsideration should be accompanied by supporting document(s) such as, amendment, postcard receipt, 1449/892, etc.) and should be filed and directed to Decisions & Certificates of Correction Branch with the appropriate fee of 100.00.

Ernest C. White, *LIE* (703) 308-9390 ext.#122
Cecelia B. Newman, *Supervisor* (703) 308-9390 ext. #101
Decisions & Certificates of Correction Branch

COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON DC 20004-2401

ecw



Docket No.: 025965.101-US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert J. Yamartino

Patent No.: 6,947,544

Issued: September 20, 2005

For: TELEPHONE NUMBER AREA CODE
PREPROCESSOR

REQUEST FOR RECONSIDERATION

Attn: Decisions & Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Consideration for Certificate of Correction, dated January 24, 2006, Patentee respectfully requests that the January 10, 2006 Request for Certificate of Correction of the above-identified patent be reconsidered.

As requested by Mr. Ernest White during a telephone conference between Mr. White and Ms. Anne Wilson of Covington & Burling on January 26, 2006, submitted herewith is a copy of the Office Action of April 21, 2004, which includes a Notice of References Cited (Form PTO-892) listing the missing citations that should be reflected on the face of the issued patent.

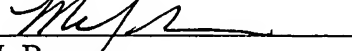
In view of the above, Patentee respectfully requests that the Request for Certificate of Correction be granted and that a Certificate of Correction reflecting all of the requested corrections be issued. Patentee submits that the Request of January 10, 2006, this Request, and the attached documentation make clear that all of the errors identified in the Request for Certificate of Correction occurred as a result of Patent Office error. Therefore, no fee is believed to be due. However, if the Patent Office considers the errors to have occurred as a result of

mistakes by the Patentee, correction of such errors by certificate of correction is still proper under 37 CFR § 1.323 and is requested in that event. Authorization is given to charge the required fee to Deposit Account No. 50-0740 in that event.

Prompt and favorable reconsideration of this Request is respectfully requested.

Dated: January 26, 2006

Respectfully submitted,

By 
Paul J. Berman

Registration No.: 36,744

Melody H. Wu

Registration No.: 52,376

COVINGTON & BURLING

1201 Pennsylvania Avenue, N.W.

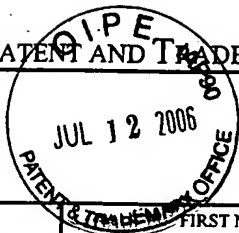
Washington, DC 20004-2401

(202) 662-6000

Attorneys for Applicant



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,004	03/05/2002	Robert J. Yamartino	025965.101-US03	5161

26853 7590 04/21/2004
COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

EXAMINER

SMITH, CREIGHTON H

ART UNIT	PAPER NUMBER
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2645

13

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
APR 26 2004
Patent Docketing



Office Action Summary

Application No. 090004	Applicant(s) YAMARENO
Examiner Smith, C.H.	Group Art Unit 2645

--The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address--

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 13 APRIL '04
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 11-20, 23-36, 47-56, 59-72 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 12-20, 23-36, 52-56 is/are allowed.
- ☐ Claim(s) 11, 47-51, 59-72 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other _____

Office Action Summary



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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12

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) CREIGTON Smith (3) _____

(2) DAVE Caplan (4) _____

Date of Interview 13 APRIL 04

Type: ☐ Telephonic ☒ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: _____

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: NONE

Identification of prior art discussed: XALTON & WALSH

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative phoned examiner to state that they never received a copy of PTO-892 nor the references. They also requested that 3 month time for response be restarted. The 3 month time for response will be re-started from time of mailing of 892.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

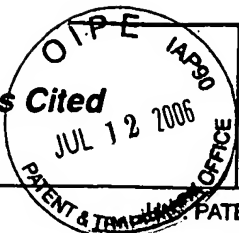
Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

Creighton Smith

Creighton Smith
Primary Examiner

Notice of References Cited



Application No.

090004

Applicant(s)

YAMARTINO, R. S.

Examiner

SMITH, C.H.

Group Art Unit

2645

Page ___ of ___

PATENT DOCUMENTS

* DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A 5764731	6/1998	FARLOW	379	88
B 6658455	12/2003	Weinman, J.B., JR	709	203
C 4734931	3/1988	Bourg et al	379	93
D 5204894	4/1993	DARDEN	379	88
E 5055015	8/1997	WALSH et al	379	201
F				
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FOREIGN PATENT DOCUMENTS

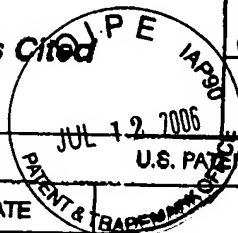
* DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N					
O					
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Q					
R					
S					
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NON-PATENT DOCUMENTS

* DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U	
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W	
X	

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)

Notice of References Cited



Application No.

090004

Applicant

YAMARTINO, R. S.

Examiner

Smith, C.H.

Group Art Unit

2645

Page ____ of ____

U.S. PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5764731	6/1998	YABLON	379	88
B	6658455	12/2003	Weinman, J.B., JR	709	203
C	4734931	3/1988	Bourg et al	379	93
D	5204894	4/1993	PARDEN	379	88
E	5655015	8/1997	WALSH et al	379	201
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

*	DOCUMENT (including Author, Title, Source, and Pertinent Pages)	DATE
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X		

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)